

**REMARKS**

This Application has been carefully reviewed in light of the Office Action dated August 6, 2009 ("*Office Action*"). At the time of the *Office Action*, Claims 1-15 were pending and rejected in the Application. Applicants amend Claims 1, 5, and 9; and adds new Claim 16. No new matter is added by these amendments. Applicants respectfully request reconsideration and favorable action in this case.

**Section 103 Rejections**

Claims 1-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,062,540 issued to Reddy et al. ("*Reddy*") in view of U.S. Patent No. 7,163,913 issued to Linderman ("*Linderman*"). Applicants respectfully submit that Claims 1-15 are allowable for at least the reasons provided below.

Independent Claim 13 of the present Application, as previously and currently presented, recites:

A method for management and configuration of remote agents, comprising:

providing at least one web service;

providing an agent metadata service on each of a plurality of remote agents, each agent metadata service operable to retrieve agent metadata residing on the remote agent based on one or more detection parameters;

receiving, by the at least one web service, the agent metadata from the plurality of remote agents, the agent metadata transmitted to the web service of the management device through a firewall; and

detecting, by the at least one web service, at least one remote agent on a network based on the agent metadata;

using the at least one web service on the management device to perform at least one of managing and configuring the at least one remote agent based on the at least one web service, wherein the at least one of managing and configuring that is performed by the management device runs across the firewall; and

receiving at least one unsolicited alert notification from the at least one remote agent, the at least one alert notification comprising an indication of a change to the at least one remote agent.

Whether considered alone or in combination, *Reddy* and *Linderman* do not disclose, either expressly or inherently, each and every element of Claim 13.

For example, the proposed *Reddy-Linderman* combination fails to teach or suggest “receiving at least one unsolicited alert notification from the at least one remote agent, the at least one alert notification comprising an indication of a change to the at least one remote agent,” as recited in amended Claim 13. In the *Office Action*, the Examiner identifies *Reddy* as disclosing the recited claim elements. (*Office Action*, page 4). However, *Reddy* actually discloses that an “events service 80 provides the capability for a user of portal 20 to subscribe to particular notifications from monitors 74, such as notifications of state changes.” (*Reddy*, col. 6, lines 25-29). *Reddy* also refers to “selected notifications.” (*Reddy*, col. 8, lines 5-6). Specifically, *Reddy* discloses that a query is performed “on a periodic basis or at selected times, in response to the selection by a user of portal 20 of particular applications 42 or types of events that the user desires to be monitored (for example, through the customization of a display), in response to a current request by the user for an update with respect to particular events or applications 42, or for any other appropriate reason.” (*Reddy*, col. 8, lines 6-13). Thus, *Reddy* actually discloses a user registers to receive specific notifications. *Reddy* does not disclose, teach, or suggest “receiving at least one unsolicited alert notification from the at least one remote agent, the at least one alert notification comprising an indication of a change to the at least one remote agent,” as recited in amended Claim 13. Because *Linderman* does not cure the deficiencies of *Reddy*, Applicants’ claim is allowable over the proposed *Reddy-Linderman* combination.

For at least these reasons, Applicants request reconsideration and allowance of independent Claim 13.

Independent Claim 1 of the present Application, as currently presented, recites:

A method for management and configuration of remote agents, comprising:

- using a management device to provide at least one web service;
- providing an agent metadata service on each of a plurality of remote agents, each of the plurality of remote agents separated from the management device by a firewall, each agent metadata service operable to retrieve agent metadata residing on the remote agent based on one or more detection parameters;
- receiving, by the at least one web service, the agent metadata from the plurality of remote agents, the agent metadata transmitted to the web service of the management device through the firewall; and
- detecting, by the at least one web service, at least one remote agent on a network based on the agent metadata;

translating a schema associated with the at least one remote agent into a management side representation compatible with a manager repository;

storing the management side representation of the schema associated with the at least one remote agent and the agent metadata in a manager repository; and

using the at least one web service on the management device to perform at least one of managing and configuring the at least one remote agent based on the at least one web service, wherein the managing and configuring that is performed by the management device runs across the firewall.

Whether considered alone or in combination, *Reddy* and *Linderman* do not disclose, either expressly or inherently, each and every element of Claim 1.

For example, the proposed *Reddy-Linderman* combination fails to teach or suggest “translating a schema associated with the at least one remote agent into a management side representation compatible with a manager repository” and “storing the management side representation of the schema associated with the at least one remote agent and the agent metadata in a manager repository,” as recited in amended Claim 1. Rather, *Reddy* discloses a portal 20 “to remotely monitor and manage one or more applications 42 executing at one or more computer systems 40 associated with one or more domains 30.” (*Reddy*, Column 3, lines 45-47). As disclosed in *Reddy*, the functionality for monitoring the applications is provided by a “a communication layer 60 and an monitoring and management layer 70 [that] are included in each domain 30 to provide portal 20 with access to applications 42.” (*Reddy*, Column 5, lines 3-4). Servlet engine 64, within domain 30, is “used to gather appropriate information from the database and to generate a web page or other appropriate content for communication by web server 62 to portal 20.” (*Reddy*, Column 5, lines 28-31). To the extent that anything is stored by the manager, *Reddy* merely discloses that “an agent 72 may . . . log notifications to a database 76.” (*Reddy*, Col. 6, lines 21-24). However, *Reddy* does not disclose, teach, or suggest “translating a schema associated with the at least one remote agent into a management side representation compatible with a manager repository” and “storing the management side representation of the schema associated with the at least one remote agent and the agent metadata in a manager repository,” as recited in amended Claim 1.

*Linderman* does not cure the deficiencies of *Reddy*. Although *Linderman* discloses a database 30, *Linderman* merely discloses:

Once a user hits the appropriate button on the browser 16, an NMA request will be received by the RWS 24 and immediately stored in the database. Additionally, each NEA request is stored in the database before being processed by the NEA 28. Furthermore, the configuration of each network element is also stored in the database 30

(*Linderman*, col. 6, lines 42-48). Thus, *Linderman* discloses only that the database stores requests from the network management agent and configuration information. *Linderman* does not disclose, teach, or suggest “translating a schema associated with the at least one remote agent into a management side representation compatible with a manager repository” and “storing the management side representation of the schema associated with the at least one remote agent and the agent metadata in a manager repository,” as recited in amended Claim 1.

For at least these reasons, Applicants request reconsideration and allowance of independent Claim 1, together with Claims 2-4 that depend on Claim 1. For analogous reasons, Applicants also request reconsideration and allowance of independent Claims 5 and 9, together with Claims 6-8 and 10-12 that depend on Claims 5 and 9, respectively.

#### **New Claim 16**

New Claim 16 has been added and is fully supported by the original specification. No new matter has been added. New Claim 16 depends upon independent Claim 13 and is not obvious over the cited references because Claim 16 includes the limitations of Claim 13 and recites additional elements that further distinguish the art. For example, Claim 16 recites that “translating a schema associated with the at least one remote agent into a management side representation compatible with a manager repository” and “storing the management side representation of the schema associated with the at least one remote agent and the agent metadata in a manager repository.” As discussed above with regard to Claim 1, the proposed *Reddy-Linderman* combination does not disclose this combination of features. For at least these reasons, Applicants respectfully submit that new Claim 16 is allowable over the prior art.

**No Waiver**

Additionally, Applicants have merely discussed example distinctions from the references cited by the Examiner. Other distinctions may exist, and Applicants reserve the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner's additional statements. The example distinctions discussed by Applicants are sufficient to overcome the Examiner's rejections.

**CONCLUSION**

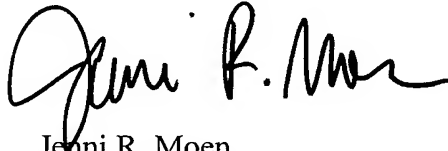
Applicants respectfully submit that this Application is in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stand ready to conduct such a conference at the convenience of the Examiner.

No fees are believed due; however, the Commissioner is authorized to charge any fees or credits to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicants

A handwritten signature in black ink, appearing to read 'Jenni R. Moen', is written over the typed name.

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Date: October 27, 2009

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